

3:30 P.M., Ohio County Community Center, Hartford, Ky

Meeting called to order by Judge Executive David Jones. Prayer by Magistrate Hayward Dean Minton. Pledge to the American flag.

Those present were as follows:

David G. Jones	Judge Executive
Gregory B. Hill	County Attorney
Cheryl Morris	Fiscal Court Clerk
Hayward D. Minton	Magistrate District 1
Jason Bullock	Magistrate District 2
Richard Robinson	Magistrate District 3
Larry Keown	Magistrate District 4
Bill Burden	Magistrate District 5

Motion made by Esq. Burden that the Court approve the minutes of the special call meeting on June 26, 2008 as presented. (on file in Fiscal Court Order Book, Clerk’s office)

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve the bills, claims, payments and transfers as presented. (copy on file, Clerk’s office)

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve to accept the Treasurer’s Financial Statement for the month of June 2008. (copy on file in Clerk’s office)

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve to accept the Treasurer’s 2007-2008 Annual Settlement and Report. (copy on file in Clerk’s office)

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve the first reading of Ordinance #2009-3: AN ORDINANCE ADOPTING AN ADMINISTRATIVE CODE; REPEALING ORDINANCE #2007-5 AN ADMINISTRATIVE CODE ADOPTED JANUARY 23, 2007.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	No
Keown	Yes
Burden	Yes
Jones	Yes

Said motion having carried five (5) to one (1) it is so ordered.

Motion made by Judge Jones that the Court approve to adopt the following Resolution regarding the prioritization of HB 410 single-county coal severance projects; a modification of a Resolution adopted on May 20, 2008:

RESOLUTION

COUNTY OF OHIO

ADOPTION OF A RESOLUTION OF THE OHIO COUNTY FISCAL COURT AUTHORIZING THE FOLLOWING PROJECTS TO BE FUNDED IN THE PRIORITY ORDER LISTED BELOW VIA RELEASE OF SINGLE COUNTY COAL SEVERANCE FUNDS ESTABLISHED IN HOUSE BILL 410 AND ENACTED BY THE 2008 GENERAL ASSEMBLY.

WHEREAS, the Kentucky General Assembly, in 2008 House Bill (HB)410, appropriated funds from the Local Government Economic Development Fund to the County for specific line-item projects; and,

WHEREAS, because the General Assembly did not assign prioritization among the line-item projects authorized for the County, it is necessary for the County to assign such priority in order for the funds to be disbursed in an orderly fashion; and,

WHEREAS, the General Assembly has, in some counties, appropriated single county coal severance funds directly to other local government entities within those counties; and,

WHEREAS, the County has, where applicable, consulted with those local government entities as to the most effective prioritization of all line-item projects from the County’s single county coal severance funds,

NOW, THEREFORE, BE IT RESOLVED this 22nd day of July, 2008 by the **OHIO COUNTY FISCAL COURT**, this 22nd day of July 2008:

The Fiscal Court hereby assigns, for administrative purposes, priority among all 1008 HB 410 line-item projects authorized for Ohio County in the following manner:

FY 2008 ('07-'08)

- | | |
|--|----------|
| 1. #589 Ohio County Fiscal Court-Sports Complex-Improvements | \$50,000 |
|--|----------|

FY 2009 ('08-'09)

- | | |
|--|-----------|
| 1. #587 Road Dept-4 x 4 Truck | \$34,000 |
| 2. #579 EMS-Building-Land | \$125,000 |
| 3. #578 City of Hartford-Wastewater Project | \$40,000 |
| 4. #582 Ohio County Sports Complex- Improvements | \$40,000 |
| 5. #583 Park Amphitheater-Blacktop | \$7,000 |
| 6. #585 Road Department-De-Icing Equipment | \$43,300 |

- | | |
|--|-----------|
| 7. #577 City of Centertown-Water Tank-Line Extension | \$100,000 |
| 8. #576 City of Beaver Dam-Sports Complex | \$50,000 |
| 9. #586 Road Department-Excavator | \$156,000 |
| 10. #575 Bluegrass Music Tourism Project | \$135,000 |

FY 2010 ('2009-'2010)

- | | |
|--|----------|
| 1. #581 Ohio County Sports Complex | \$50,000 |
| 2. #588 Road Department-Purchase Tractor & Mower | \$95,000 |
| 3. #584 Purchase Ambulance | \$85,000 |

REGULAR

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JULY 2008

Done this 22nd day of July, 2008. Motion by Judge Jones and seconded by Esq. Burden, members present voting unanimously in favor.

BY: _____
DAVID JONES
OHIO COUNTY JUDGE EXECUTIVE

ATTEST:

CHERYL MORRIS
OHIO COUNTY FISCAL COURT CLERK

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to adopt the following Resolution regarding the authorization of the Judge Executive to enter into an Agreement with GOLD and to execute any documents deemed necessary related to HB 410 and the single county coal severance projects:

RESOLUTION
COUNTY OF OHIO

A RESOLUTION OF THE OHIO COUNTY, KENTUCKY AUTHORIZING THE COUNTY JUDGE EXECUTIVE TO ENTER INTO AN AGREEMENT WITH THE GOVERNOR’S OFFICE FOR LOCAL DEVELOPMENT (GOLD) FOR THE PROJECTS LISTED BELOW, TO EXECUTE ANY DOCUMENTS WHICH ARE DEEMED NECESSARY BY GOLD TO FACILITATE THESE PROJECTS AND TO ACT AS THE AUTHORIZED CORRESPONDENT FOR THESE PROJECTS.

WHEREAS, the County of Ohio, Kentucky, has received the following 2008 Kentucky General Assembly House Bill 410 project(s) to be administered by the Kentucky Governor’s Office for Local Development:

FY 2008 (‘07-’08)

1. #589 Ohio County Fiscal Court-Sports Complex-Improvements	\$50,000
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FY 2009 (‘08-’09)

1. #587 Road Dept-4 x 4 Truck	\$34,000
2. #579 EMS-Building-Land	\$125,000
3. #578 City of Hartford-Wastewater Project	\$40,000
4. #582 Ohio County Sports Complex- Improvements	\$40,000
5. #583 Park Amphitheater-Blacktop	\$7,000
6. #585 Road Department-De-Icing Equipment	\$43,300
7. #577 City of Centertown-Water Tank-Line Extension	\$100,000
8. #576 City of Beaver Dam-Sports Complex	\$50,000
9. #586 Road Department-Excavator	\$156,000
10. #575 Bluegrass Music Tourism Project	\$135,000

FY 2010 (‘2009-‘2010)

1. #581 Ohio County Sports Complex	\$50,000
2. #588 Road Department-Purchase Tractor & Mower	\$95,000
3. #584 Purchase Ambulance	\$85,000

WHEREAS, it is recognized that the project(s) listed above impose certain obligations and responsibilities upon the County.

NOW, THEREFORE, BE IT RESOLVED this 22nd day of July, 2008 by the Fiscal Court of **OHIO COUNTY, Kentucky:**

The County Judge Executive is hereby authorized to execute and furnish all required documentation, including a memorandum of agreement, as may be required by GOLD for the furtherance of the above-referenced project(s) and to act as the authorized correspondent for said project(s).

Done this 22nd day of July, 2008. Motion by Judge Jones and seconded by Esq. Robinson, members present voting unanimously in favor

BY: _____
DAVID JONES
OHIO COUNTY JUDGE EXECUTIVE

ATTEST:

CHERYL MORRIS
OHIO COUNTY FISCAL COURT CLERK

Recorded in Order Book 21 Pages 161-162.

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve to accept the written proposal submitted by Clerk Bess Ralph for items required to conduct the November election with the new E-Scan voting machines in the amount of \$17,030 plus freight for all voting precincts. (copy on file in Fiscal Court Order Book)

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to go into Closed Session to discuss personnel issues. Personnel issues will be discussed which entails private and personal information which justifies and requires a Closed Session discussion. No other business will be discussed during the Closed Session and no official action shall be taken or consensus made by the Court. The legal authority that allows us to go into Closed Session is KRS 61.810(1)(f) which authorizes the Fiscal Court to discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee, member, or student without restricting that employee's, member's or student's right to a public hearing if requested. This exception shall not be interpreted to permit discussion of general personnel matters in secret. The legal reason we are going into Closed Session is for discussion of personnel issues.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to go back into Open Session. No other business was discussed or action taken during Closed Session except what was stated by me before going into Closed Session regarding pending litigation.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to adjust the hourly rate of pay, due to the new minimum wage standard, for Norman Payton from \$6.10 per hour to \$6.55 per hour effective 7/14/08; this allowance is provided for in the FY 2008-2009 budget.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to adjust the hourly rate of pay, due to the new minimum wage standard, for Robert Cox from \$5.91 per hour to \$6.55 per hour effective 7/20/08; this allowance is provided for in the FY 2008-2009 budget.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to change the status of Elizabeth Antonio in the Career Center from full-time to part-time effective 6/30/08 at the current rate of pay.

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said recommendation was unanimously approved, and it is so ordered.

Motion made by Judge Jones that the Court approve to accept the recommendation of Glenn Miller to raise the rate of pay for Sherrill Amos in the Child Support office to \$19.25 per hour effective 7/14/08.

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to accept the recommendation of Glenn Miller to raise the rate of pay for Melissa Miller in the Child Support office to \$14.50 per hour effective 7/14/08.

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Recommendation by Judge Jones that the Court approve to hire Beverly Geary as a part-time Office Clerk in the Ohio County Career Center at \$7.50 per hour effective 7/28/08.

Roll call vote:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said recommendation was unanimously approved, and it is so ordered.

Motion made by Esq. Minton that the Court approve to accept Sheriff Elvis Doolin’s proposal to permanently eliminate two (2) vacant part-time positions from his total staff quota (Account 01-5015-188-0 in the amount of \$12,109.50; Account 01-5015-106-0 in the amount of \$11,488.50) plus overtime money (Account 01-5015-119-0 in the amount of \$7,000) and redistribute the monies appropriated for these positions to be used to support an increase in the Sheriff’s mileage rate (Account 01-5015-429-0) from \$0.35 to \$0.40 per mile.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve to add approximately .4 mile of Wells Lane to the prioritization list for a waterline extension at an approximate cost of \$15,000.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Bullock that the Court approve to add approximately .327 mile of Mildred Lane to the prioritization list for a waterline extension at an approximate cost of \$11,500.

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Robinson that the Court approve to combine funds from account nos. 04-5120-381-0 = \$47,992; 04-5120-521-0 = \$50,000; 12-5121-548-0 = \$2,008; and, 23-5120-381-0 = \$35,000, totaling \$135,000; to be disbursed \$15,000 each to the nine volunteer fire departments, less their liability insurance premium if paid by the County directly to the insurance company, contingent upon all Fire Chiefs and Mayors, where applicable, signing a Memorandum of Agreement to continue to provide county-wide mutual aid; failure to honor the Agreement will cease all future funding and necessitate remittance of any funds already received.

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

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Motion made by Esq. Robinson that the Court approve to transfer \$35,000 from Occupational Tax Reserves (Account 23-9200-999-0) to Fire Department Support (Account 23-5120-381-0).

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve the First Reading of Ordinance #2009-1-A: Budget Amendment.

The motion was seconded by Esq. Bullock and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve to authorize the County Treasurer to open a premium account with the Bank of Ohio County for the Reserve for Transfer Emergency account.

The motion was seconded by Judge Jones and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the meeting is adjourned.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Meeting is adjourned.

David Jones, Judge Executive

Cheryl Morris, Fiscal Court Clerk